# Human Trafficking

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# Overview

- I. Human Trafficking: Scope, Typology, Trends
- II. The North Carolina Systems Overview
- III. Recognize and Respond: Red Flags and The Mindset of a Victim
- IV. Moving Forward: What the Courts Can Do







### Scope, Typology, Trends

Recognize and I

# Legal Definition:

According to the Trafficking Victims Protection Reauthorization Act of 2013:

#### Sex Trafficking:

The recruitment, harboring, transportation, provision or obtaining of a person for a **commercial sex act** induced by force, fraud or coercion, **OR** in which person induced to perform such an act has not obtained 18 years of age.

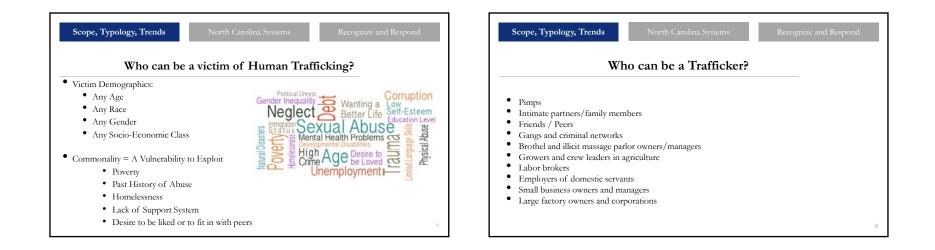
#### Labor Trafficking:

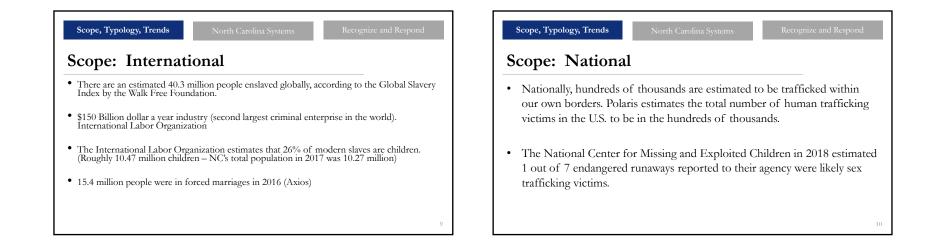
The recruitment, harboring, transportation, provision or obtaining of a person **for labor or services**, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

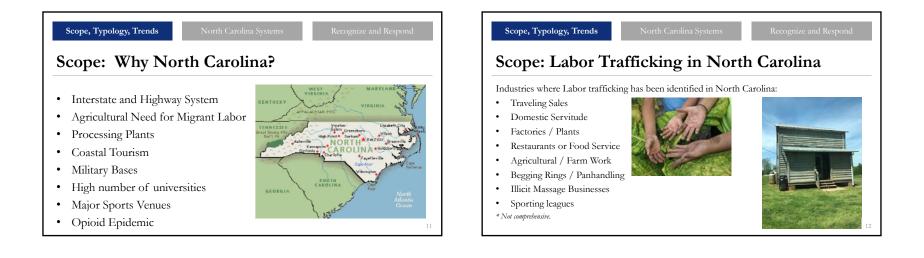
### 22 U.S.C. §§ 7101-7113

Also see - State Law : NC General Statutes § 14-43.10A

| Force, Frauc   | & Coercion  |   |
|--|---|---|
| <ul> <li>Force</li> <li>Physical assault</li> <li>Acid burns</li> <li>Rape and gang rape</li> <li>Restraint or bonded</li> <li>Confinement</li> <li>Kidnapping</li> <li>Starvation</li> <li>Forced substance<br/>use / misuse</li> </ul> | Fraud<br>- Romance / relationship<br>- False promises /<br>marriage<br>- Employment<br>- Better life: jobs,<br>education, citizenship<br>- Increasing debt<br>- Recruitment traps<br>- Corruption | Coercion<br>- Threats of serious<br>harm to self/loved<br>ones<br>- Confiscating<br>documents or<br>passports<br>- Threatening to<br>report to police<br>- Threatening legal<br>ramifications |

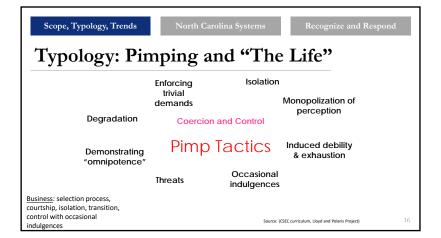




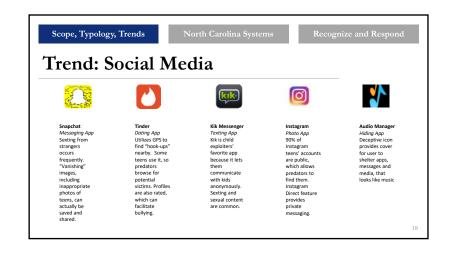


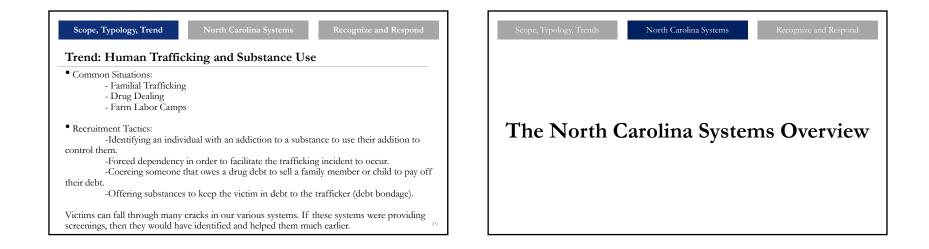
| Typology: Labor Trafficking in North Carolina  | Typology: Sex Trafficking in North Carolina   |
|--|---|
| Illicit Massage Businesses:<br>On the SurfaceIn Reality• Register and attempt to behave like<br>legitimate businesses• Debt traps<br>• House fee to reside in business<br>• Weekly management fee<br>• Food fee<br>• Pay rent to legitimate landlords<br>• Business is incorporated and<br>insured<br>• Display licensing and other<br>regulatory material• Debt traps<br>• House fee to reside in business<br>• Weekly management fee<br>• Food fee<br>• Personal items fee<br>• Security fee | Industries where sex trafficking has been identified in North Carolina:* <ul> <li>Agricultural / Farm Work (camps)</li> <li>On-Line / Internet (in-call or out-call)</li> <li>Pornography</li> <li>Brothels</li> <li>Hotels</li> <li>Hotels</li> <li>Truck Stops</li> <li>Personal Sexual Servitude</li> <li>Bars, Strip Clubs</li> <li>Pimping "The Life"</li> <li>Family Facilitated</li> <li>* Not comprehensive.</li> </ul> |





#### Scope, Typology, Trends Typology: Pimping and "The Life" Common Language • Daddy / Manager / Bodyguard The Life Automatic Trick Bottom Circuit Romeo Pimp • Quota Gorilla Pimp Turned Out Wifey / Wife-In-Law Date / John Stable





Scope, Typology, Trends

North Carolina Systems

and Respond

# NC Human Trafficking Commission - Members

Jasmine McGhee, Department of Justice, Attorney General's Designee

Jennifer Haigwood, Department of Labor, Commissioner of Labor's Designee

Pamela Cashwell, NC Department of Public Safety, Secretary of Public Safety's Designee

Thomas N. Bernard, Health Care Representative Libby Magee Coles, Justice Matters, Inc., Faith Based or Benefits

Organization Monika Johnson Hostler, N.C. Coalition Against Sexual Assault,

Public at Large
Angelica Wind, The NC Coalition Against Human Trafficking

William R. West, Jr., Administrative Office of the Courts, District Attorney Dianne Layden, Public at Large Suzanne Mauney-Smith, Gaston County Police Depart., Gity or Town Police William M. Nichols, Ret. State Highway Patrol, County Sheriff I Devianse

Caitlin Ryland, Legal Aid of North Carolina, Legal Aid of North Carolina

Judge Sherri Elliott, Chief Judge for District Court 25, NC Association of District Court Judges

Judge Claire Hill, Superior Court Judge 12A, NC Conference of Superior Courts

Ryan Boyce, Senior Counsel for Policy, NC Administrative Office of the Courts

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#### pology, Trends N

North Carolina Systems

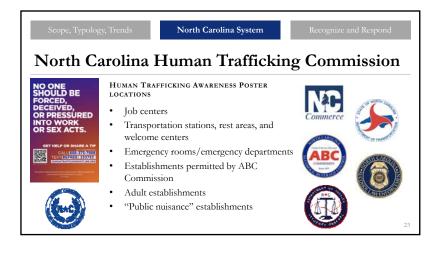
Recognize and Respon

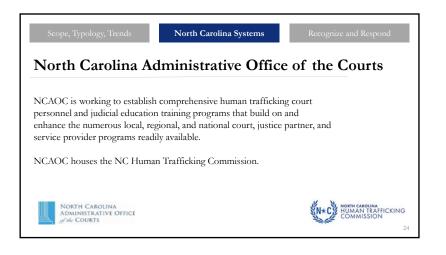
# 2019 Report to the NC General Assembly

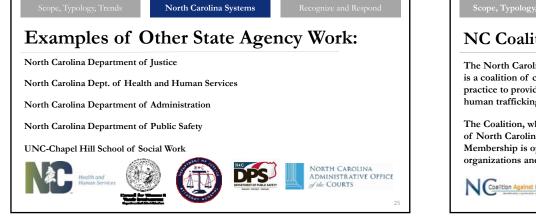
#### **KEY RECOMMENDATIONS:**

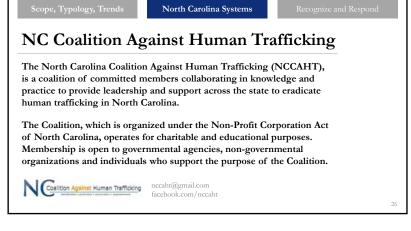
- · Expand the definition of "sexual servitude" to apply to all instances of buyer conduct.
- Prohibit the promotion or sale of "sex tourism" services.
- Create a civil cause of action for victims to recover damages from individuals who trafficked them
  or financially benefited from the trafficking activity.
- Expand and streamline the process for human trafficking victims to expunge convictions for nonviolent crimes that were committed as a direct result of their being a victim of human trafficking.
- Expand the grounds for appropriate relief and vacatur of convictions for nonviolent crimes committed by individuals as a direct result of their being victims of human trafficking
- Provide the Commission with recurring funding to continue operations in future fiscal years.

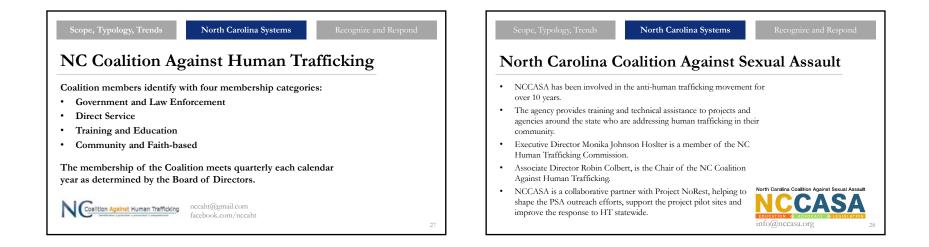
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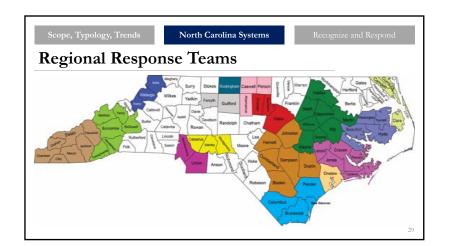










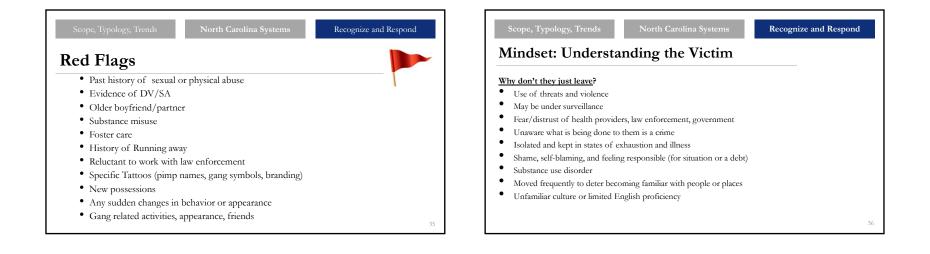


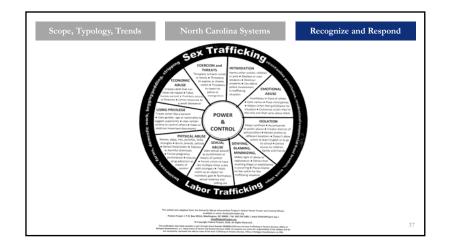


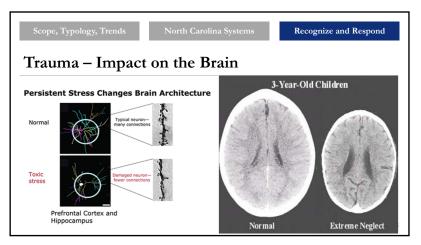


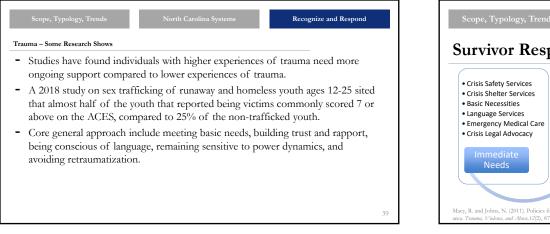


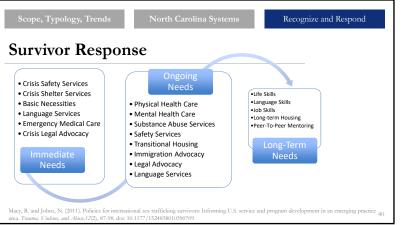
| • Lives on site or with their employer |
|--|
|--|



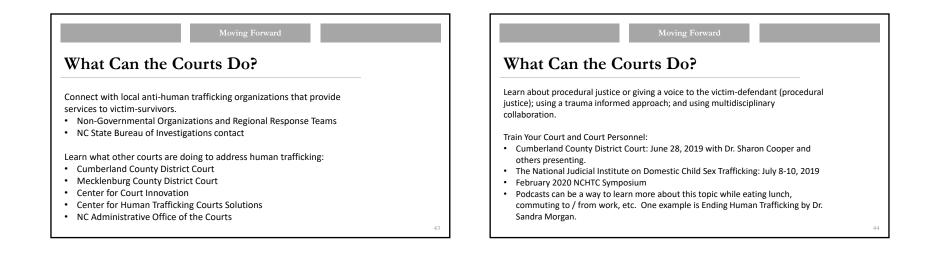








| Moving Forward                            | Moving Forward<br>What Can the Courts Do?  |
|---|--|
|   | From the Bench:  |
| Moving Forward:<br>What the Courts Can Do | <ul> <li>Consider the effects trauma, victimization and trafficking can have on defendants in cour</li> <li>Does it seem like trauma and/or trafficking are playing a role in this person's behavior</li> <li>Are you seeing elements of force, fraud or coercion in relation to this person's recidivism?</li> <li>Has this person been assessed for potentially being a victim of human trafficking?</li> <li>Can I consider connected them to a community based provider for services or further assessment?</li> </ul> |
|   | Source: Human Trafficking and the State Courts Coll  |





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